

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LINA SCURTU, *et al.*,

Plaintiffs,

v.

**HOSPITALITY AND CATERING
MANAGEMENT SERVICES,**

Defendant.

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CIVIL ACTION 07-0410-WS-B

ORDER

This action comes before the Court on a trio of Status Reports (docs. 157, 158, 159). The upshot of those Status Reports is that the parties have been unable to resolve their differences and that plaintiffs persist in their desire to reinstate this matter as to defendant Hospitality and Catering Management Services. The Order (doc. 152) entered on September 26, 2011 provided that this action was being dismissed with prejudice subject to any party's right to move for reinstatement within 30 days if the settlement documentation was not consummated in the interim. Plaintiffs timely moved for reinstatement and demonstrated that the settlement documentation was never finalized.¹ As such, and given the parties' inability to work things out in a court-ordered meeting with the arbitrator, Plaintiffs' Motion to Reopen Case (doc. 153) is **granted** insofar as plaintiffs seek restoration of this case to the active docket. This action is hereby **reinstated** to the undersigned's docket provided, however, that plaintiffs' claims against defendant Wendco of Alabama, Inc. remain **dismissed with prejudice**. The previous referral of this matter to arbitration remains in full force and effect, and the parties must file monthly joint status reports, by the third Friday of each month, reflecting the status of those proceedings.

DONE and ORDERED this 21st day of November, 2011.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE

¹ The Court expresses no opinion as to whether there was an enforceable settlement agreement, as that issue has not been squarely presented to the undersigned.